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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/616,652	07/14/2000	Osamu Sasaki	32808	5828

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EXAMINER	
ELISCA, PIERRE E	

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 07/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/616,652	SASAKI ET AL.	
	Examiner	Art Unit	
	Pierre E. Elisca	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 March 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-56* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-56* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

EA

DETAILED ACTION

1. This office action is in response to Applicant's response, filed on 03/31/205.

2. Claims 1-41 are pending.

Claim Rejections - 35 USC ∋ 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-41 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Hiroya et al. (U.S. pat. No. 5,754,654) and Sasmazel et al (U.S. Pat. No. 6,032,260) in view of Cogger et al. (U.S. Pat. No. 6,032,184).

As per claims 1, 3, 5, 6-18, 20, 21-37 and 38-43 Hiroya substantially discloses a system comprises an electronic ticket vending and refunding device retained by a ticket publisher (which is seen to read as Applicant=s claimed invention wherein it is stated a network-linked electronic ticket), comprising:

an electronic ticket, and network electronic ticket different from the electronic ticket for providing the customer to access limited online information about the commodity or service from an information providing apparatus on a network (see., abstract, col 3,

lines 1-67, col 4, lines 1-62, col 5, lines 1-67, col 6, lines 1-57). Hiroya also discloses a digital signature see Figs 10 and 11.

Hiroya fails to explicitly disclose that the network electronic ticket different from the electronic ticket. **Sasmazel** discloses this limitation in col 6, lines 66-67, col 7, lines 1-13, and lines 63-67, col 8, lines 1-25, specifically wherein said authentication server receives authentication information from a user and generates an eticket, Applicant should note the information generates by server 350 is different than the information receives. **Furthermore, Sasmazel discloses an eticket architecture (including identification information) is generated by an authentication server. The information in the ticket is hashed using, for example, a message digest protocol, and a hash number is generated. The hash number is then encrypted using a private key, and the identification information in the eticket and the encrypted hash number are concatenated to generate a completed eticket architecture. Please note the identification information is readable as the eticket for providing a customer access, and the hash number or private is readable as the network electronic ticket since they are different from each other. Accordingly, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the electronic ticket of Hiroya by including the limitation detailed above as taught by Sasmazel because this would prevent a trouble on whether the electronic money and the electronic ticket are given or received actually.**

It is to be noted that Hiroya and Sasmazel fail to explicitly disclose an electronic ticket that provides a customer access to a service from a provider. However, Cogger discloses a Web based customer care in which a trouble ticket or electronic ticket has been used for allowing a customer to remotely access a service provider (see., abstract, col 2, lines 34-50, col 3, lines 32-67, col 5, lines 59-67, col 6, lines 1-4). Accordingly, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Hiroya and Sasmazel by including the limitation detailed above as taught by Cogger because this would allow the customer to access and display the online information.

As per claim 2, Sasmazel discloses the claimed limitations wherein the network-linked electronic ticket contains at least one piece of identification information of the information providing apparatus for providing the online information service according to the network electronic ticket on the network (see., abstract).

As per claims 4, 19, Sasmazel discloses the claimed limitations wherein the network electronic ticket contains display format information of a list of online information services provided according to the network electronic ticket and the identification information is described in the display format information (see., col 5, lines 1-13).

In regard to Applicant's newly added claims 44-56 Hiroya substantially discloses a system comprises an electronic ticket vending and refunding device retained by a ticket publisher (which is seen to read as Applicant's claimed invention wherein it is stated a network-linked electronic ticket), comprising:

Identification information of a provider which provides an online information service and can be used by an apparatus for retaining the network-linked electronic ticket (see., abstract, col 3, lines 1-67, col 4, lines 1-62, col 5, lines 1-67, col 6, lines 1-57). Hiroya also discloses a digital signature see Figs 10 and 11.

Hiroya fails to explicitly disclose that an authentication information for authentication processing with the provider. **Sasmazel** discloses this limitation in col 6, lines 66-67, col 7, lines 1-13, and lines 63-67, col 8, lines 1-25, specifically wherein said authentication server receives authentication information from a user and generates an eticket, Applicant should note the information generates by server 350 is different than the information receives. **Furthermore, Sasmazel discloses an eticket architecture (including identification information) is generated by an authentication server. The information in the ticket is hashed using, for example, a message digest protocol, and a hash number is generated. The hash number is then encrypted using a private key, and the identification information in the eticket and the encrypted hash number are concatenated to generate a completed eticket architecture. Please note the identification information is readable as the eticket for providing a customer access, and the hash number or private is readable as the network electronic ticket since they are different from each other.**

Accordingly, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the electronic ticket of Hiroya by including the limitation detailed above as taught by Sasmazel because this would prevent a trouble on whether the electronic money and the electronic ticket are given or received actually.

It is to be noted that Hiroya and Sasmazel fail to explicitly disclose an electronic ticket that provides a customer access to a service from a provider. However, Cogger discloses a Web based customer care in which a trouble ticket or electronic ticket has been used for allowing a customer to remotely access a service provider (see., abstract, col 2, lines 34-50, col 3, lines 32-67, col 5, lines 59-67, col 6, lines 1-4). Accordingly, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Hiroya and Sasmazel by including the limitation detailed above as taught by Cogger because this would allow the customer to access and display the online information.

Response to Arguments

5. Applicant's arguments filed 03/31/2005 have been fully considered but they are not persuasive. Necessitated by Applicant's newly added claims.

REMARKS

6. In response to applicant's arguments, Applicant argues that the prior art of record fail to anticipate or render obvious the recited feature:

a. "the electronic ticket is for providing a customer access to a commodity or a service". As noted above, Hiroya and Sasmazel fail to explicitly disclose an electronic ticket that provides a customer access to a service from a provider. However, Cogger discloses a Web based customer care in which a trouble ticket or electronic ticket has been used for allowing a customer to remotely access a service provider (see., abstract, col 2, lines 34-50, col 3, lines 32-67, col 5, lines 59-67, col 6, lines 1-4). Accordingly, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Hiroya and Sasmazel by including the limitation detailed above as taught by Cogger because this would allow the customer to access and display the online information.

b. "the references, even if combined, do not teach these elements". The Examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See In re Fine, 837 F.2d 1071,5 USPQ2d 1596 (Fed. Cir. 1988) and In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The rationale to modify or combine the prior art does not have to be expressly stated in the prior art; the rationale may be expressly or impliedly contained in the prior art or it may be reasoned from knowledge generally available to one of ordinary skill in the art, established scientific principles, or legal precedent established by prior case law. In re Fine, 837 F.2d 1071, 5USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). See also In re Eli Lilli & Co., 902 F.2d 943, 14 USPQ2d 1741 (Fed. Cir. 1990) (discussion of reliance on legal precedent); In re Nilssen, 851

F.2d 1401, 7USPQ2d 1500 (Fed. Cir. 1988) (references do not have to explicitly suggest combining teachings); Ex parte Clapp, 227 USPQ 972 (Bd. Pat. App & Inter); and Es parte Levengood, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993) (reliance on logic and sound scientific reasoning).

Also in reference to Ex parte Levengood, 28 USPQ2d, 1301, the court stated that "Obviousness is a legal conclusion, the determination of which is a question of patent law.

Motivation for combining the teachings of the various references need not to explicitly found in the reference themselves, In re Keller, 642 F.2d 413, 208USPQ 871 (CCPA 1981). Indeed, the Examiner may provide an explanation based on logic and sound scientific reasoning that will support a holding of obviousness. In re Soli, 317 F.2d 941 137 USPQ 797 (CCPA 1963)."

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Girault et al U.S Pat. No. 5,768,379

This patent discloses a system/method for the checking of limited access to authorized time slots where customers gain access to a facility using electronic tickets see., abstract.

Pierre Eddy Elisca

Primary Patent Examiner

June 29, 2005